



South Coast Air Quality Management District

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Office of the Executive Officer
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July 20, 2001

California Energy Commission
Docket Unit
1516 Ninth Street, MS-4
Sacramento, CA 95814

Re: Docket Number: 01-SIT-1

To the Honorable Commissioners of the California Energy Commission:

The South Coast Air Quality Management District ("District") staff thanks you for the opportunity to provide comments to your proposed regulations on site certification processes that is the subject of your July 23 public workshop. More specifically, to better clarify its relationship with the Commission, the District suggests the following minor revisions be made to newly added proposed subsection (d) of section 1714.5 (highlighted by underlining and strikeout):

Comments received by the Commission pursuant to this section from any state agency and local air pollution control agency that make recommendations within the area of expertise of that agency shall be given great deference by the Commission staff in their analysis. Comments from a state agency ~~And~~ shall be deemed to represent the position of the State of California on the subject matter commented upon, except to the extent that staff concludes that such comments are in conflict with other laws of the State of California or of the United States.

The District believes that local air pollution control agencies should also be accorded great deference when making recommendations within their area of expertise. As you may be aware, state law provides "that local and regional authorities have the primary responsibility for control of air pollution from all sources, other than emissions from motor vehicles." (Health and Safety Code Section 40000).

Clearly, such sources will include electric generators. In addition, the Commission's own regulation contained in Section 1744.5 notes that the "local air pollution control officer shall conduct, for the commission's certification process, a determination of compliance review" For these reasons, the District believes it is appropriate for the Commission to accord deference to a local air pollution control agency's recommendations on air quality matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry R. Wallerstein". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Barry R. Wallerstein, D.Env.
Executive Officer

BRW/drw

Enclosures (11 copies)